RESOLUTION NUMBER 5

SERIES, 1972.

WHEREAS it is proposed to alter the boundaries of the City of Elgin and add certain contiguous territory thereto, such territory being described as follows:

Commencing at a point on the South boundary of Section 10, Township 1, North, Range 39 East of the Willamette Meridian, said point being S 89° 56' E a distance of 2,714.5 feet from the Southwest corner of said Section 10, thence North 370 feet ; thence S 89°56' E 470 feet; thence North six feet; thence S 89°56' E 299 feet; thence South 65 feet; thence S 89° 56' E 97 feet; thence South 280 feet more or less to the South line of the Southeast Quarter of Section 10, Township 1, North Range 39 East of the Willamette Meridian; thence West along the South line of said Section, 866 feet to the point of beginning.

All situated in South Quarter of Section 10, Township 1 North, Range 39 EWM Union County, Oregon.

WHEREAS the City Charter of the City of Elgin does not expressly prohibit the City Council from dispensing with the submission of the question of annexation of such territory to the City to the registered voters of the City, and

WHEREAS by Resolution Number 4 , Series, 1972, the City Council of Elgin resolved that the question of annexation of the contiguous territory above described should not be submitted to the registered voters of the City and thereby elected to dispense with the submission of such question to such voters, that public hearing before the City Council of the City of Elgin to be held on Tuesday, 12 day of September 1972, at 8:00 P.M., in the City Council Room in the City Hall of Elgin might appear and be heard on the question on annexation of the contiguous territory above described and that notice of such hearing be published once each week for two successive weeks prior to the date of hearing in the Elgin Recorder, a newspaper of general circulation in the City of Elgin, and posted in four public places in said City for a like period, and,

WHEREAS notice of hearing was duly published once a week for two successive weeks prior to the date of hearing in the Elgin Recorder, a newspaper of general circulation in the City of Elgin, as is evidenced by the affidavit of publication filed with the Recorder of the City of Elgin, and such notice was duly posted in four public places in said City for a like period as is evidenced by the affidavit of the Recorder of the City of Elgin filed in his office, and

WHEREAS public hearing was held before the City Council in the City of Elgin on Tuesday, the 12 day of September, 1972, at 8:00 P.M. in the City Council Room in the City Hall in the City of Elgin, at which time registered voters of the City appeared and were heard on the question of annexation of the contiguous territory hereinabove described, and

WHEREAS the City Council of the City of Elgin, Oregon, did on the 12 day of September, 1972, by Ordinance containing a legal description of the territory hereinabove described declared that said territory should be annexed to the City of Elgin on the condition that the owners thereof would consent in writing to said annexation as provided in 222.170 Oregon Revised Statutes as amended, and

WHEREAS the owners of all the property above described have heretofore consented in writing to the annexation and filed their consent with the City Council of the City of Elgin on the 10 day of August, 1972, and prior to the calling of an annexation election, and

WHEREAS the City Council of the City of Elgin has heretofore dispensed with the submission of the question of annexation of the territory hereinabove described to the registered voters of the City provide in 222.170 Oregon Revised Statutes, as amended,

NOW, THEREFORE, BE IT RESOLVED by the City Council of Elgin:

(1) That the Council of the City of Elgin shall, and does hereby proclaim the annexation of the territory hereabove described to the City of Elgin,

(2) That the Recorder of the City of Elgin shall, and he is hereby directed to make and submit to the Secretary of State of the State of Oregon (a) a copy of the resolution, (b) a copy of the written consent of the owners of the territory hereinabove described to the annexation thereof, and (c) a copy of the resolution of the City of Elgin declaring that no election is required in the City of Elgin in connection with the annexation.

Dated at Elgin, Oregon, this 12 day of September, 1972.

ATTEST: Ron Scoubes
City Recorder

Lloyd C. Spikes
Mayor